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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/499,442	02/07/2000	Frank Greer	0908-ce	1282

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EXAMINER	
NGUYEN, NHON D	
ART UNIT	**PAPER NUMBER**
2174	12

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/499,442	GREER ET AL.	
	Examiner	Art Unit	
	Nhon (Gary) D Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16 and 18-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16 and 18-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Appeal Brief, filed 12/11/2003.

2. The finality of the action of 08/13/2003 is withdrawn and this action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 5, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (US 6,204,837).

As per independent claim 1, Smith teaches a user interface for use with a computer system, said user interface comprising:

selecting means for selecting from a list of predetermined computer applications (col. 3, line 55 – col. 4, line 11).

a conflict map containing a list of conflicts between the list of predetermined computer applications; conflict checking means, coupled to the selecting means and the conflict map, for receiving the selection signal, determining from the selection signal and the conflict map whether a potential conflict between computer applications could occur, and outputting a display message

if a determination is made that a potential conflict could occur between computer applications (col. 4, lines 13-18).

As per independent claim 4, it is a similar scope to claim 1; therefore, it should be rejected under similar rationale.

As per claim 5, which is dependent on claim 4, Smith teaches the step of outputting a display message further comprises the step of: prompting a user to select another application if determination is made that a potential conflict could occur (col. 4, lines 16-19).

As per independent claim 20, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Lee, Sang-Hae (US 6,587,053).

As per claims 2 and 3, which are dependent on claims 1 and 2 respectively, Smith does not disclose selecting means comprises a remote control the user interface further comprises: an

input device interface, for receiving signals from the remote control and converting the signals from the remote control into command signals, and wherein the remote control comprises an infrared remote control and the input device interface further comprises: converting means converting infrared remote control signals to USB signals, the converting means receiving an infrared remote control signals, determining context of use of the infrared remote control signal, and generating a corresponding USB signal to communicate the infrared remote control signal to an intended device. Lee, Sang-Hae discloses a key infrared signal from a wireless keyboard or wireless mouse is transmitted to a personal computer (PC) and converted to corresponding USB information to communicate the infrared remote control signal to the PC (col. 2, lines 25-49). It would have been obvious to an artisan at the time of the invention to use the teaching from Lee of a remote control using infrared signals and the converter to convert infrared signal to USB signals in Smith's system since it would allow a user to use a wireless remote input device, such as a mouse or a keyboard, to input controls to a PC.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Sinclair et al. ("Sinclair", US 6,177,946).

As per claim 6, which is dependent on claim 5, Smith does not show determining whether a television or a computer monitor has been connected to the computer system, and selecting hardware in a video output device in the computer system to engage alternate video ports to produce an optimal quality output in response to said determining step. Sinclair discloses that at col. 2, line 7 – col. 4, line 34. It would have been obvious to an artisan at the time of the invention to use the teaching from Sinclair of determining whether a television or a computer

monitor has been connected to the computer system, and selecting hardware in a video output device in the computer system to engage alternate video ports to produce an optimal quality output in Smith's system since it would allow the system to select the optimal quality output in response to whether a television or a computer monitor has been connected to the computer system.

8. Claims 7-10, 15, 16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Lee, Kab-Keun (US 6,204,884).

As per independent claim 7, Smith teaches:

selecting a first device application mode from a predetermined menu of device application modes, which menu includes at least two such predetermined device application modes (col. 3, line 55 – col. 4, line 11).

determining whether a second of said at least two such predetermined device application modes is active, determine from a conflict map containing a list of device conflicts between the at least two predetermined device application modes whether a potential conflict could occur (col. 4, lines 13-18), and

Smith teaches initiating presentation of activities relating to first device application mode if it is determined a potential device conflict may not occur (col. 4, lines 13-18). Smith does not disclose "presentation" is "television presentation". However, Smith's computer monitor could be replaced by a television, as taught by Lee, Kab-Keun at col. 7, lines 5-6, to display "television presentation". It would have been obvious to an artisan at the time of the invention to use the

teaching from Lee, Kab-Keun of using a television in place of a PC in Smith's system since it would be convenient to use only one display as either television or PC monitor.

As per claims 8 and 9, which are both dependent on claim 7, it is inherent in Smith's system that halting the second of said at least two such predetermined device application modes upon initiation of the first device application mode and minimizing the second of said at least two such predetermined device application modes upon initiation of the first device application mode.

As per claim 10, which is dependent on claim 7, Smith teaches presenting images relating to the second of said at least two such predetermined device application modes in a selected window (fig. 3 and fig. 4).

As per claim 15, which is dependent on claim 7, Smith teaches step of selecting is made by clicking a mouse over an active portion of a screen image of a control panel image (col. 3, lines 54-65).

As per independent claim 16, Smith teaches:

a PC for producing images according to one or more application modes (fig. 3);

a microprocessor device in communication with said television, said microprocessor device including circuitry for implementing at least two predetermined application modes (application modes in fig. 3); and

a controller for selecting an application mode, wherein said device is configured to determined activation status of at least a single non-selected application mode when a particular other activation mode is selected (if application mode 67 of fig. 3 is enabled, then application mode 64, for example, is enabled);

Smith does not disclose a television for producing images. However, Smith's computer monitor could be replaced by a television, as taught by Lee, Kab-Keun at col. 7, lines 5-6, to display "television image". It would have been obvious to an artisan at the time of the invention to use the teaching from Lee, Kab-Keun of using a television in place of a PC in Smith's system since it would be convenient to use only one display as either television or PC monitor.

Wherein said controller further comprises a selecting means for selecting from a list of predetermined applications (col. 3, line 55 – col. 4, line 11); a conflict map containing a list of conflicts between the list of predetermined computer applications; conflict checking means, coupled to the selecting means and the conflict map, for receiving the selection signal, determining from the selection signal and the conflict map whether a potential conflict between computer applications could occur, and outputting a display message if a determination is made that a potential conflict could occur between computer applications (col. 4, lines 13-18).

As per independent claim 20, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

9. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Lee, Kab-Keun (US 6,204,884).

As per claim 11, which is dependent on claim 10, modified Smith does not disclose the selected window is subordinated in a web browser environment. The Examiner takes Official Notice it is well known in computer art that any Microsoft window could be subordinated in a web browser by typing a web address in the location address. It would have been obvious to an artisan at the time of the invention to apply Microsoft windows' web browser environment to subordinate the selected window in modified Smith's system since it allows a user to browse the Internet while making device selections.

As per claim 12, which is dependent on claim 11, Smith teaches presenting a control panel for setting operating parameters for the second of said at least two such predetermined device application modes within a selected window (col. 3, lines 54-65).

10. Claims 13, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Lee, Kab-Keun, as applied to claims 7 and 16, and further in view of Lee, Sang-Hae.

As per claim 13, which is dependent on claim 7, Smith does not disclose step of selecting comprises the step of selecting with a remote control device. Lee, Sang-Hae discloses a remote wireless keyboard or wireless mouse is used to select input controls (col. 2, lines 25-49). It would have been obvious to an artisan at the time of the invention to use the teaching from Lee of using wireless control devices in Smith's system since it would allow a user to enter input commands from a distance.

As per claims 18 and 19, which are dependent on claims 16 and 18 respectively, Smith does not disclose selecting means comprises a remote control the user interface further comprises: an input device interface, for receiving signals from the remote control and converting the signals from the remote control into command signals, and wherein the remote control comprises an infrared remote control and the input device interface further comprises: converting means converting infrared remote control signals to USB signals, the converting means receiving an infrared remote control signals, determining context of use of the infrared remote control signal, and generating a corresponding USB signal to communicate the infrared remote control signal to an intended device. Lee, Sang-Hae discloses a key infrared signal from a wireless keyboard or wireless mouse is transmitted to a personal computer (PC) and converted to corresponding USB information to communicate the infrared remote control signal to the PC (col. 2, lines 25-49). It would have been obvious to an artisan at the time of the invention to use the teaching from Lee, Sang-Hae of a remote control using infrared signals and the converter to convert infrared signal to USB signals in Smith's system since it would allow a user to use a wireless remote input device, such as a mouse or a keyboard, to input controls to a PC.

11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Lee, Kab-Keun, as applied to claim 7, and further in view of Moon et al. ("Moon", US 6,104,384).

As per claim 14, which is dependent on claim 7, Smith does not show step of selecting comprises the step of selecting through an on-screen emulation of a remote control device. Moon discloses a virtual keyboard displayed on a computer display is used to emulate a conventional

keyboard (abstract). It would have been obvious to an artisan at the time of the invention to use the teaching from Moon of selecting through an on-screen emulation of a remote control device (keyboard) in Smith's system since the system would not need a physical remote control device (keyboard).

Response to Arguments

12. Applicant's arguments with respect to claims 1-16 and 18-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5825359 A to Derby, Herbert G. et al. discloses method and system for improved arbitration of a display screen in a computer system.

US 5734380 A to Adams, James S. et al. discloses method for controlling the presentation of displays in a multi-window computer environment.

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiries

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen
February 20, 2004

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